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LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

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WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANA

FREDDIE J. McZEAL

CIVIL ACTION NO. 06-2351

SECTION P

VS.

JUDGE DOHERTY

TERRY TERRELL, WARDEN

MAGISTRATE JUDGE HILL

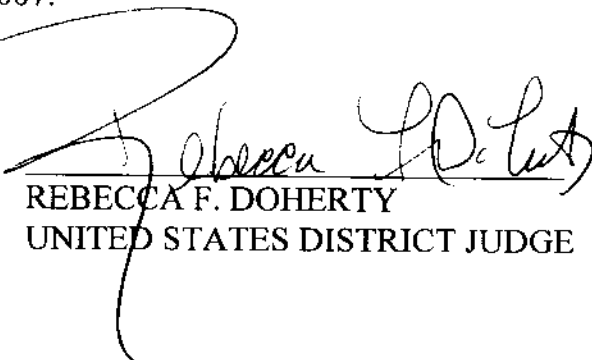
**JUDGEMENT**

This matter was referred to United States Magistrate Judge C. Michael Hill for Report and Recommendation. No objections have been filed. The Court concludes that the Report and Recommendation of the magistrate judge is correct and therefore adopts the conclusions set forth therein. Accordingly;

**IT IS ORDERED** that the instant action is **DISMISSED WITHOUT PREJUDICE** because the instant petition constitutes a second and successive *habeas* petition within the meaning of 28 U.S.C. §2244(b) filed without prior authorization of the United States Fifth Circuit Court of Appeals.

**THUS DONE AND SIGNED**, in chambers, in Lafayette, Louisiana, on this

10 day of April, 2007.

  
REBECCA F. DOHERTY  
UNITED STATES DISTRICT JUDGE